

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 IO-10 OMB-01

SSO-00 NSCE-00 INRE-00 AID-05 EUR-12 SAM-01 SCS-03

SCA-01 SY-05 A-01 OPR-02 OC-05 CCO-00 /096 W

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FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC IMMEDIATE 9561

USIA WASHDC

INFO AMEMBASSY COLOMBO

AMEMBASSY DACCA

AMEMBASSY ISLAMABAD

AMEMBASSY KABUL

AMEMBASSY KATHMANDU

AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL KARACHI

AMCONSUL LAHORE

AMCONSUL MADRAS

C O N F I D E N T I A L SECTION 1 OF 2 NEW DELHI 8640

E.O. 11652: GDS

TAGS: PINS, PINT, IN

SUBJ: EMERGENCY SITUATION--MORE STRINGENT PRESS CENSORSHIP
RULES APPLIED TO FOREIGN CORRESPONDENTS AND THEIR INDIAN
EMPLOYEES

REF: NEW DELHI 8596 AND 8532

1. UNDER THE PERSONAL DIRECTION OF NEWLY-APPOINTED MINISTER
OF INFORMATION AND BROADCASTING SHUKLA, APPLICATION OF CENSOR-
SHIP MEASURES TO REVERTINGBY FOREIGN CORRESPONDENTS IN INDIA
HAS TAKEN AN OMINOUS TURN IN THE LAST 36 HOURS.

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2. SHUKLA SPOKE TO SOME FORTY REPRESENTATIVES OF FOREIGN

MEDIA ON FRIDAY EVENING TO INTRODUCE WHAT HE TERMED A NEW -CODE OF HONOR" THAT THE GOI WOULD ENFORCE AND THAT FOREIGN MEDIA REPRESENTATIVES WOULD BE EXPECTED TO FOLLOW. HE OBSERVED THAT CORRESPONDENTS HAD BEEN CIRCUMVENTING CENSORSHIP BY VARIOUS MEANS, INCLUDING USE OF DIPLOMATIC CHANNELS, AND THAT "STIFF ACTION" WOULD BE TAKEN TO STOP SUCH PRACTICES. THIS WAS "NOT A THREAT," HE SAID, JUST A "STATEMENT OF FACT." IN ANSWER TO A QUERY, HE SAID SUCH ACTION WOULD INCLUDE EXPULSION FROM THE COUNTRY, IN THE CASE OF ALIENS, BUT MIGHT IF THERE ARE VIOLATIONS MEAN THAT "YOU WILL BE TREATED AS CRIMINALS, NOT AS JOURNALISTS."

3. IN EXPLAINING THE "CODE," SHUKLA SAID: "THE LAW OF THE LAND HAS TO BE OBEYED BY ALL THE PEOPLE RESIDENT IN THE COUNTRY. OUR CODE IS, WE GIVE YOU ALL THE NEWS THAT IN THE NATIONAL INTEREST CAN BE PUBLISHED AND USED, AND WE GIVE YOU ALL THE PROTECTION YOU NEED TO FUNCTION AS CORRESPONDENTS." HE INDICATED HE REGARDED HIS EXPLANATION AS PRIVILEGED: "I DON'T EXPECT YOU TO USE ANY OF THIS--DON'T MAKE NOTES."

4. IN THE FACE OF PROTESTS THAT HIS EXPLANATION HAD LEFT MANY THINGS UNCLEAR, SHUKLA PROMISED TO PROVIDE WRITTEN GUIDELINES, WHICH WERE MADE AVAILABLE SOME HOURS LATER, VALID AS OF 7:30 P.M. SATURDAY NIGHT (JUNE 28), INDIAN STANDARD TIME.

5. THESE GUIDELINES READ AS FOLLOWS: BEGIN QUOTE
FOR INFORMATION ONLY OF EDITORS/GENERAL MANAGERS AND NOT REPEAT NOT FOR PUBLICATION OR BROADCAST.###
ALL RESIDENT OR VISITING CORRESPONDENTS - OF AGENCIES, NEWSPAPERS, BROADCASTING ORGANISATIONS - HAVE BEEN ASKED STRICTLY TO COMPLY WITH PRE-CENSORSHIP LAW IMPOSED UNDER THE EMERGENCY. WHILE ALL FACILITIES FOR REPORTING AND FUNCTIONING TO INDIVIDUAL CORRESPONDENTS WILL BE PROVIDED, CORRESPONDENTS WILL BE EXPECTED TO LEGITIMATELY USE THE LINES OF COMMUNICATION OPEN TO THEM AND ANY VIOLATION OR SURREPTITIOUS USE OF OTHER MEANS FOR TRANSMITTING COPY, FILM OR VOICE-CAST NOT CLEARED BY CENSOR WILL BE STERNLY DEALT WITH. FOR THIS PURPOSE IT WILL BE ASSUMED THAT NEWS ORIGINATING FROM AND ABOUT INDIA APPEARING IN ANY OF NEWSPAPERS OR BROADCAST BY BROADCASTING ORGANISATIONS NOT CLEARED BY CENSOR IS ATTRIBUTABLE TO THE RESIDENT OR VISITING
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CORRESPONDENTS OR RESIDENT AGENCIES, UNLESS OTHERWISE ESTABLISHED. CORRESPONDENTS IN EXPRESSING OPINION ON CURRENT DEVELOPMENTS HAVE BEEN ASKED TO EXERCISE CAUTION AND IN A SPIRIT OF TRUTHFULLY AND OBJECTIVELY INTERPRETING THE SITUATION IN INDIA. A POINT WAS MADE THAT CORRESPONDENTS MAY NOT BE ABLE TO FILE STORIES WHICH THEY MAY LIKE TO SEND OR EDITORS WOULD EXPECT FROM THEM, BUT IT WILL BE APPRECIATED IF IT IS UNDERSTOOD THAT THIS IS A REQUIREMENT OF THE LAW OF THE LAND TODAY

AND WILL BE VALID FOR THE DURATION OF EMERGENCY. THESE NEW
GUIDELINES EFFECTIVE 1930 HOURS TODAY.
END QUOTE.

6. WHETHER OR NOT THE CORRESPONDENTS WERE ABIDING BY THE "CODE,"
SHUKLA SAID, WOULD BE JUDGED BY WHAT THEIR NEWSPAPERS OR NET-
WORKS ACTUALLY USED, AND THAT INCLUDED "ALL THE NEWS FROM OR
ABOUT INDIA," WHETHER UNDER A CORRESPONDENT'S BYLINE OR NOT,
AND WHETHER OR NOT IT WAS DATELINED INDIA. HE WAS NOT CONCERNED
WITH EDITORIAL COMMENT, ONLY NEWS. "CENSORSHIP IS TOTAL," HE SAID:
INDIAN AGENCY COPY (PTI OR UNI) ALREADY CENSORED WOULD HAVE TO
BE RESUBMITTED EVEN IF IT CAME IN UNCHANGED FORM OFF THE TELE-
TYPE FOR FILING ABROAD, BECAUSE MUCH OF THIS IS FOR "DOMESTIC
CONSUMPTION ONLY."

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ACTION NEA-10

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NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 OMB-01 IO-10

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SCA-01 SY-05 A-01 OPR-02 OC-05 CCO-00 /096 W

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O R 301200Z JUN 75

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC IMMEDIATE 9562

USIA WASHDC

INFO AMEMBASSY COLOMBO

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7. ON SUNDAY MORNING, SHUKLA FOLLOWED UP THIS INITIAL SESSION BY SPEAKING TO ABOUT TWENTY INDIAN NATIONALS EMPLOYED AS JOURNALISTS BY FOREIGN MEDIA BUT WITHOUT THEIR PRINCIPALS PRESENT. THE GIST OF HIS TALK WAS THAT THESE INDIAN EMPLOYEES WOULD SUFFER THE CONSEQUENCES OF TRANSGRESSION OF THE "CODE" (EVASION OF CENSORSHIP) BY THEIR PRINCIPALS AND BY THEIR PARENT ORGANIZATIONS ABROAD, AGAIN WITHOUT REGARD TO THE BYLINE OR DATELINE. THE INDIAN EMPLOYEES WHO CAME AWAY FROM THIS "BRIEFING" FELT THAT FAILURE TO COMPLY WOULD LEAD TO THEIR ARREST. OBLIGATIONS EXPLICITLY MENTIONED INCLUDED FAILURE TO REPORT TO THE GOI FILING OF NEWS THAT WAS NOT CLEARED WITH THE CENSORS AND FOREIGN JOURNALISTS WHO VISITED INDIA WITHOUT CONFIDENTIAL

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PROPERLY REGISTERING WITH THE MINISTRY. (ALSO SEE DELHI 8596 FOR VOA CORRESPONDENT'S ACCOUNT OF THIS MEETING WITH INDIANS.)

8. BOTH FOREIGN JOURNALISTS AND THEIR INDIAN STAFF TRIED TO POINT OUT THAT THE NEWLY-ANNOUNCED REGULATIONS COULD NOT BE RECONCILED WITH THE VARIOUS REALITIES OF THEIR WORKING CONDITIONS--THAT NEWS MAGAZINES LIKE TIME AND NEWSWEEK, FOR EXAMPLE, EXTENSIVELY REWRITE THEIR CORRESPONDENT'S COPY, SO THAT NONE OF THEIR JOURNALISTS ABROAD COULD GUARANTEE WHAT WAS ACTUALLY PUBLISHED. SHUKLA DISMISSED THIS AS IRRELEVANT. (THE CASE OF THOSE AMERICAN MEDIA WHICH NORMALLY OPERATE HERE WITH ACCREDITED INDIAN CORRESPONDENTS ONLY DESERVES SPECIAL NOTE. THESE ARE BALTIMORE SUN, PRAN SABHARWAL; NEWSWEEK, R. RAMANUJAM; TIME, JAMES SHEPHERD; AND N.B.C. P.K. KHANNA.)

9. THE AMERICAN JOURNALISTS MEETING WITH THE PAO NIGHT OF JUNE 29 SEEMED CONVINCED THAT AN EXAMPLE WOULD BE MADE OF ONE OF THEM, PROBABLY LEWIS SIMONS OF THE WASHINGTON POST, WHO WOULD BE EXPELLED; AND JACQUES LISLIE THINKS HE WILL BE THROWN OUT. (NOTE: PERHAPS EQUALLY LIKELY IS GEOFFREY HUGHES, AUSTRALIAN BROADCASTING CORPORATION. HIS HARD HITTING REPORTS AND ABRASIVE DEPORTMENT AT GOI PRESS BRIEFINGS HAS RESULTED IN A SUMMONS FROM THE PIB WHERE HE WAS GIVEN A PRIVATE TONGUE LASHING.) SOME AMERICAN JOURNALISTS FEAR THAT THEY MIGHT BE ARRESTED RATHER THAN EXPELLED. NONE OF US, THEY SAID HAS BEEN FOLLOWING THE CENSORSHIP RULES AND THE RULES AS NOW LAID DOWN ARE UNWORKABLE. THEY WERE EVEN MORE FEARFUL OF ACTIONS AGAINST THEIR INDIAN EMPLOYEES AND ASKED WHAT THE EMBASSY WOULD OR COULD DO SHOULD THEY (THE AMERICANS) BE ARRESTED OR EXPELLED OR THEIR INDIAN STAFFERS

ARRESTED.

10. WE UNDERSTAND THAT SHUKLA HAD A SIMILAR SESSION WITH INDIAN CHIEF EDITORS ON THE MORNING OF JUNE 28 IN WHICH HE ALSO TOOK A HARD-NOSE LINE, AMONG OTHER THINGS SAYING THAT THERE WOULD BE NO MORE BLANK SPACES RUN IN ANY INDIAN NEWSPAPERS.

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11. AMERICAN CORRESPONDENTS WHO ATTENDED SHUKLA'S "CODE OF HONOR" SESSION FRIDAY EVENING SAY THAT HE DOESN'T APPEAR TO KNOW MUCH ABOUT THE PRSS--HAD TO ASK HOW A WIRE SERVICE OPERATES--BUT THAT HE IS SHARP AND HARD AND "NOBODY'S FOOL," LEAVING THE IMPRESSION THAT WHAT HE SAID WAS TO BE TAKEN SERIOUSLY.

12. COMMENT5: THE AUTHORITY OF THE PRESS DEPARTMENT OF THE MINISTRY OF EXTERNAL AFFAIRS (MEA), WHICH NORMALLY AND NOMINALLY HAS JURISDICTION OVER THE ACTIVITIES OF THE FOREIGN PRESS AND IS THE CHANNEL THROUGH WHICH CORRESPONDENTS PROCEED FOR "FACILITATIVE ASSISTANCE" AND SIMILAR SERVICES, APPEARS TO HAVE BEEN RATHER BRUSQUELY OVERRIDEN BY THE MINISTRY OF INFORMATION AND BROADCASTING UNDER THE NEW MINISTER. FOR EXAMPLE, A.N.D. HAKSAR, MEA PRESS CHIEF, CALLED THE AP BUREAU CHIEF IN EVEN BEFORE SHUKLA TOOK OVER TO GET A FILL-IN ON WHAT THE CHIEF OF PRESS INFORMATION BUREAU (PIB) WAS TELLING THE FOREIGN PRESS.

13. IT IS CLEAR THAT WE HAVE A FLOCK OF U.S. NEWS CORRESPONDENTS ON HAND (SOME EIGHT AMERICAN "REGULARS" AND, BY LATEST COUNT, TEN VISITORS) WHO ARE LOOKING TO THE EMBASSY FOR PROTECTION FOR THEMSELVES AND THEIR INDIAN EMPLOYEES. WE HAVE SAID THAT THE U.S. GOVERNMENT WOULD UNDOUBTEDLY MAKE REPRESENTATIONS IF THAT BECAME NECESSARY, BUT HAVE NOT ENCOURAGED THE VIEW THAT THE EMBASSY CAN PROTECT THEIR LOCAL EMPLOYEES AGAINST ARREST OR PREVENT THE EXPULSION OR EVEN ARREST OF AMERICAN CORRESPONDENTS IF INDIA'S EMERGENCY LAWS ARE BROKEN BY NOT FOLLOWING ITS CENSORSHIP RULES. (THE EMBASSY HAS, ALREADY MADE REPRESENTATIONS WITH THE MEA WITH RESPECT TO THE WASHINGTON POST'S LEWIS SIMONS, WHOM THE GOI WANTED THE POST TO RECALL EVEN BEFORE THE PRESENT EMERGENCY).

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